

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte FUMITAKE YODO

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Appeal 2008-0902  
Application 09/923,618  
Technology Center 3600

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Mailed: June 4, 2008

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Before DALE M. SHAW, *Chief Appeals Administrator*  
SHAW, *Chief Appeals Administrator*.

ORDER REMANDING TO EXAMINER

This application was electronically received in at the Board of Patent Appeals and Interferences (BPAI) on August 18, 2006. A Docketing Notice was mailed and Appeal Number 2008-0902 was assigned on December 7, 2007.

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A review of the application has revealed that an Information Disclosure Statement (IDS) was scanned into the electronic file and available for viewing by the Board of Patent Appeals and Interferences on November 1, 2007. It is not apparent from the record that the examiner has considered the statement submitted, nor notified applicant of why the submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, the application is remanded to the examiner for consideration of this IDS and for such further action as may be appropriate.

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

*Chief:* DMS

ewh

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